

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA**

MUSCOGEE (CREEK) NATION,)
a federally recognized Indian Tribe,)
Plaintiff,)
vs.) Case No. 23-CV-490-JDR-CDL
CITY OF TULSA; MONROE NICHOLS IV,)
in his official capacity as Mayor of City of Tulsa;)
DENNIS LARSEN, in his official capacity as)
Chief of Police, Tulsa Police Department; and)
JACK BLAIR, in his official capacity as City)
Attorney for City of Tulsa,)
Defendants.)

THIRD JOINT MOTION TO EXTEND STAY OF PROCEEDINGS

Plaintiff and Defendants jointly request that this Court enter an Order extending the stay in this case for an additional 30 days, which will allow the parties to finalize and file a proposed Settlement Agreement, Motion, and Consent Order to resolve the dispute in this matter. In support of the motion, the parties represent that:

1. This case was filed in November 2023 by the Muscogee (Creek) Nation requesting injunctive and declaratory relief against the City's exercise of criminal jurisdiction over Indians within the Nation's Reservation in light of *McGirt v. Oklahoma*, 591 U.S. 894 (2020). Dkt. 002.

2. The Plaintiff has filed a Motion For Preliminary Injunction which is presently pending before this Court. Dkt. 009. The Defendants have filed a motion to dismiss which is also pending. Dkt. 028.

3. On or about December 16, 2024, the parties filed a Joint Motion to Stay the case so that the parties could conduct settlement discussions, Dkt. 117, and the Court entered an order staying the case until January 17, 2025, Dkt. 118. On January 15, 2025 and March 14, 2025, the

parties filed Joint Motions to Extend the Stay to allow additional time for ongoing negotiations, Dkts, 119 and 122, which this Court granted, Dkts. 120, 123. The stay in this case is currently set to expire on May 19, 2025. Dkt. 123.

4. The parties have continued working cooperatively and productively towards a resolution of this matter, including through the exchange of draft settlement proposals and a series of in-person meetings to discuss the parties' respective positions.

5. The parties believe that they are now close to reaching final agreement as to the terms of a proposed settlement, such that an extension of the stay in this case by an additional 30 days will allow the parties to finalize their agreement and submit to the Court materials aimed at final resolution of this dispute.

6. A proposed Order has been submitted in compliance with local rules.

WHEREFORE, for the reasons set forth herein, the parties jointly request this Court enter an Order extending the stay of this action for an additional 30 days.

Respectfully Submitted,

For the Plaintiff:

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CERTIFICATE OF SERVICE

I certify that on May 15, 2025, this document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by placing a true and correct copy in the United States mail, postage prepaid, to their address of record.

/s/ *Philip H. Tinker*
Philip H. Tinker